THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.20794 OF 2005

DATE:23.09.2005

Between:

Ch.Veerraju, S/o.Satyanarayana,

Occ:Secretary, Private Junior College Managements

Association, Tallapudi, W.G. District.

…… Petitioners

And

The Secretary and Commissioner,

Board of Intermediate Education, A.P. Hyderabad

and another.

…… Respondents

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No : 20794 of 2005

ORDER:

The petitioner claims to be the Secretary of Private Junior College Managements Association. He seeks a *Writ of Mandamus* declaring the action of the 1st respondent in taking steps to sanction some more Junior Colleges in the Jangareddygudem Rural Mandal of West Godavari District as violative of orders issued by the Government in G.O.Ms.No.114, Higher Education (CE.III.2) Department, dated 09.08.2000, apart from being illegal and unconstitutional.

In the affidavit filed in support of the writ petition it is stated that in Jangareddygudem Village there are four Junior Colleges and it is not in the interest of any one to

sanction any more Junior Colleges in that area. An attempt was also made to give the particulars of the S.S.C. passed out students in that area.

Heard the learned counsel for the petitioner, learned Government Pleader for Higher Education and learned Standing Counsel for 1st respondent.

The petitioner claims to be the Secretary of Junior College Managements Association. The writ petition is filed in his individual capacity. Even assuming that the writ petition is filed on behalf of the Association of Private Junior College Managements, the writ petition cannot be maintained. Neither the Society nor its Secretary has any *locus standi* to challenge the proposals initiated by the Government to accord permission to some more Junior Colleges.

Before permission is accorded for establishment of any Private Junior College, the 2nd respondent has to issue a notification under Section 20 of the A.P. Education Act, and that in turn, it is to be preceded by the survey of the population of the students of the relevant age group. Nothing is suggested in the affidavit to indicate that the respondents did not follow such steps. Establishment of private Junior College cannot depend upon the whims and fancies of those who have established their institutions.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

20th SEPTEMBER, 2005.

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